

FILED

LAW OFFICES OF ROBER F. BRENNAN, A P.C.  
Robert F. Brennan, Esq. [S.B. #132449]  
3150 Montrose Ave.  
La Crescenta, Ca. 91214

2012 NOV 29 PM 2: 04

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

[818] 249-5291  
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Email: rbrennan@brennanlaw.com

BY \_\_\_\_\_

Attorney for: Plaintiffs John and Sonja Valerie

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JOHN and SONJA VALERIE,  
Individuals;

Plaintiffs,

vs.

WELLS FARGO HOME MORTGAGE,  
is a division of WELLS FARGO  
BANK, N.A.; EXPERIAN  
INFORMATION SOLUTIONS INC, a  
business entity; and DOES 1-10,  
Inclusive,

Defendants.

Case No.:

CV12-10192 - JAK  
[AJW]

COMPLAINT FOR DAMAGES:

1. VIOLATION OF THE CALIFORNIA FAIR DEBT COLLECTION PRACTICES ACT;
2. VIOLATION OF THE CALIFORNIA CONSUMER CREDIT REPORTING AGENCIES ACT.
3. VIOLATION OF THE FAIR CREDIT REPORTING ACT

JURY TRIAL DEMANDED.

Plaintiffs allege:

1. Plaintiffs JOHN and SONJA VALERIE ("Plaintiffs") are residents of the City of San Simeon, State of California.

1  
COMPLAINT

1           2. Defendant WELLS FARGO HOME MORTGAGE is a division of  
2 WELLS FARGO BANK, N.A ("WELLS FARGO") doing business in the State of  
3 California, County of Los Angeles.

4           3. Defendant EXPERIAN INFORMATION SOLUTIONS, INC.  
5 (EXPERIAN) is a corporation doing business in the State of California, County of  
6 Los Angeles, as a credit-reporting agency.

7           4. Plaintiffs do not know the true names and capacities, whether corporate,  
8 partnership, associate, individual or otherwise of Defendants sued herein as Does  
9 1 through 10, inclusive, under the provisions of Section 474 of the California  
10 Code of Civil Procedure. Plaintiffs are informed and believe and on that basis  
11 allege that Defendants Does 1 through 10, inclusive, are in some manner  
12 responsible for the acts, occurrences and transactions as officers, directors or  
13 managing agents of Defendants or as its agents, servants, employees and/or joint  
14 venturers and as set forth in this complaint, and that each of them are legally liable  
15 to Plaintiffs, as set forth below and herein:

16           a) Said Officers, directors or managing agents of Defendants personally  
17 acted with oppression, fraud or malice with respect to the matters alleged in this  
18 complaint;

19           b) Said officers, directors or managing agents of Defendants personally  
20 authorized, approved of, adopted and/or ratified the acts alleged herein or the  
21 agents, servants, employees and/or joint venturers of Defendants did so act;

22           c) Said officers, directors or managing agents of Defendants personally  
23 participated in the acts alleged herein of Defendants;

24           d) Said Officers, directors or managing agents of Defendants personally had  
25 close supervision of their agents, servants, employees and/or joint venturers of  
26 Defendants;

1 f) Said officers, directors or managing agents of Defendants personally  
 2 failed to investigate the circumstances appertaining to the acts alleged herein.  
 3 They also failed and refused to repudiate the alleged actions and failed to redress  
 4 the harm done to Plaintiffs. Further, said Officers, directors, or managing agents  
 5 of Defendants failed and refused to punish or discharge the said agents, servants,  
 6 employees and/or joint venturers of Defendants, even after learning of the acts of  
 7 the agents, servants, employees and/or joint venturers of Defendants. Plaintiffs  
 8 will seek leave to amend this complaint to set forth the true names and capacities  
 9 of said fictitiously named Defendants as enumerated above, together with  
 10 appropriate charging allegations, when learned.

11 5. Plaintiffs are informed and believe, and thereon allege that at all relevant  
 12 times herein each Defendant, whether actually or fictitiously named, was the  
 13 principal, joint venturer, agent, servant or employee of each other Defendant, and  
 14 in acting as such within the course, scope and authority of such relationship, took  
 15 some part in the acts and omissions hereinafter set forth, by reason of which each  
 16 Defendant is liable to Plaintiffs for the relief prayed for in this complaint, and any  
 17 future amended complaint. Further, Plaintiffs allege that each act alleged herein,  
 18 whether by a named Defendants or fictitiously named Defendants or otherwise,  
 19 was expressly authorized or ratified, as these terms are in California Civil Code  
 20 Section 3294(b), by each and every other Defendant herein used, whether named  
 21 or fictitiously named.

22  
 23 **FIRST CAUSE OF ACTION**

24 **[VIOLATION OF CALIFORNIA FAIR DEBT**  
 25 **COLLECTION PRACTICES ACT BY WELLS FARGO AND DOES**  
 26 **1-10, INCLUSIVE]**

27 6. Plaintiffs incorporate all preceding allegations as though alleged in full in  
 28

1 this cause of action.

2 7. Under Cal. Civ. Code Section 1788.2, "debt collector" includes "any  
3 person who, in the ordinary course of business, regularly, on behalf of himself or  
4 herself or others, engages in debt collection." Under this definition, WELLS  
5 FARGO and DOES 1-10, Inclusive, all qualify as "debt collectors".

6 8. On or about August 8, 2012, Plaintiffs received an email from American  
7 Mortgage Group advising them that due to the foreclosure reporting as late as July  
8 2012 on their credit profile they would not qualify for the mortgage loan they were  
9 applying for.

10 9. On or about August 8, 2012, Plaintiffs discovered that WELLS FARGO  
11 was reporting to EXPERIAN that foreclosure proceedings had begun on their  
12 #708014599 WELLS FARGO mortgage account as recent as July 2012. This  
13 reporting of the foreclosure proceedings was inaccurate, specifically as to the date  
14 of the proceedings.

15 10. On or about August 15, 2012, Plaintiff sent a dispute letter to WELLS  
16 FARGO and to EXPERIAN regarding WELLS FARGO account #708014599  
17 erroneously appearing with the foreclosure proceedings beginning date of July  
18 2012.

19 11. On or about October 11, 2012, Plaintiff sent a dispute letter to  
20 EXPERIAN and to WELLS FARGO claiming that the WELLS FARGO mortgage  
21 account was reporting with the wrong foreclosure proceedings date.

22 12. Since the appearance of the erroneous dates on their credit reports,  
23 Plaintiffs have repeatedly disputed them with WELLS FARGO and EXPERIAN.

24 13. On information and belief, EXPERIAN transmitted a consumer dispute  
25 verification form to WELLS FARGO concerning Plaintiff's disputes, thereby  
26 triggering WELLS FARGO'S legal obligations to reinvestigate under the Fair  
27 Credit Reporting Act. Based on account update information as contained in  
28

1 Plaintiff's credit reports, such exchange of consumer dispute verification  
2 information between WELLS FARGO and one or more of the credit bureaus  
3 occurred several times between March 2012 and October 2012.

4 14. Plaintiffs have made several calls and have sent correspondence to no  
5 avail. WELLS FARGO has repeatedly ignored Plaintiffs' numerous requests to  
6 correct their credit profile.

7 15. Mortgage lenders like WELLS FARGO know that consumers cannot  
8 easily switch from one lender to another without time, effort and substantial costs.  
9 Their actions continue to haunt Plaintiffs, causing them loss of expectancy,  
10 opportunity, and other tangible damages. WELLS FARGO has continued to  
11 erroneously report the foreclosure proceedings date on their mortgage account.  
12 WELLS FARGO credit-reported Plaintiffs to EXPERIAN although WELLS  
13 FARGO knew, or should have known with any reasonable inquiry, that the  
14 derogatory credit reporting was unjustified.

15 16. Under Cal. Civ. Code Section 1788.17, the requirements and  
16 prohibitions of the federal Fair Debt Collection Practices Act are incorporated into  
17 the California Fair Debt Collection Practices Act. WELLS FARGO and DOES 1-  
18 10, Inclusive, all engaged in conduct proscribed by 15 U.S.C. Section 1692e,  
19 including but not limited to the following: "Communicating or threatening to  
20 communicate to any person credit information which is known or which should be  
21 known to be false, including the failure to communicate that a disputed debt is  
22 disputed." Defendants WELLS FARGO and DOES 1-10, Inclusive, also  
23 communicated the foreclosure beginning dates to the credit bureaus, as alleged  
24 above, although these defendants knew or should have known that the information  
25 was both false and disputed. Further, WELLS FARGO and DOES 1-10, Inclusive,  
26 misrepresented the character, dates and legal status of the debt both to Plaintiffs  
27  
28

1 and to the credit bureaus. This is but a partial list of debt collection violations and  
 2 Plaintiffs reserve the right to allege additional violations as these become known.

3 17. As a result of these violations of the California Fair Debt Collection  
 4 Practices Act by WELLS FARGO and DOES 1-10, Inclusive, Plaintiffs have  
 5 suffered general and special damages according to proof, and are entitled to a  
 6 statutory penalty for each separate violation of California's Act, as well as  
 7 punitive damages against these defendants for conduct amounting to oppression  
 8 and malice under California law. In addition, Plaintiffs are entitled to attorney's  
 9 fees, costs and expenses.

10  
 11 **SECOND CAUSE OF ACTION**  
 12 **[VIOLATION OF THE CALIFORNIA**  
 13 **CONSUMER CREDIT REPORTING AGENCIES ACT**  
 14 **AGAINST WELLS FARGO AND DOES 1-10]**

15 18. Plaintiffs incorporate all preceding paragraphs as though alleged in full  
 16 in this cause of action.

17 19. In falsely credit reporting the Plaintiffs in spite of multiple disputes and  
 18 numerous chances to correct the credit reporting, defendants WELLS FARGO and  
 19 DOES 1-10, Inclusive, have violated the California Consumer Credit Reporting  
 20 Agencies Act, Civ. Code Section 1785 et seq.

21 20. Defendants, and each of them, willfully violated the provisions of the  
 22 Consumer Credit Reporting Agencies Act in *at least* the following respects: by  
 23 furnishing information on a specific transaction or experience to consumer credit  
 24 reporting agencies when WELLS FARGO and DOES 1-10, Inclusive, knew or  
 25 should have known that the information was incomplete or inaccurate.

26 21. As a proximate result of the actions of the Defendants, and each of  
 27 them, Plaintiffs have been damaged in an amount which will be proven at time of  
 28

1 trial. As provided under the cited law, Plaintiffs are entitled to actual damages,  
 2 loss of wages, loss of loan opportunities and real estate opportunities, pain and  
 3 suffering, punitive damages, penalties, costs and attorney fees.

4 22. Plaintiffs allege that defendants WELLS FARGO and DOES 1-10,  
 5 Inclusive, and each of them, acted willfully towards the plaintiffs and towards  
 6 others similarly situated. Specifically, WELLS FARGO and DOES 1-10,  
 7 Inclusive, knowingly have inefficient procedures for correcting their collection  
 8 files, because they know that a certain number of consumers will either be  
 9 intimidated or too frustrated to continuously fight back against the constant  
 10 onslaught of false credit reporting. WELLS FARGO and DOES 1-10, Inclusive,  
 11 in fact profit from false credit reporting in that consumers, such as Plaintiffs,  
 12 caught in the snare of false credit reporting cannot refinance debt at more  
 13 favorable rates, all to WELLS FARGO's profit. Further, Plaintiffs provided  
 14 WELLS FARGO with ample and repeated notices of the falsity of the derogatory  
 15 credit information, and WELLS FARGO did not rectify the false credit reporting  
 16 despite ample notice and ample opportunities to do so, all the while harming  
 17 Plaintiffs and their financial and emotional wellbeing.

18  
 19 **THIRD CAUSE OF ACTION**

20 **[VIOLATION OF THE FAIR CREDIT REPORTING ACT**

21 **AGAINST ALL DEFENDANTS]**

22 23. Plaintiff re-alleges and incorporates all preceding paragraphs as though  
 23 set forth in full in this cause of action.

24 24. Plaintiff is a consumer as this term is defined by 15 U.S.C. Sec.  
 25 1681a(c) of the Fair Credit Reporting Act. All defendants are "furnishers" as  
 26 defined by 15 U.S.C. 1681s-2 of the Fair Credit Reporting Act, except  
 27 EXPERIAN who is a "consumer reporting agency" as that term is defined in 15  
 28



1 U.S.C. Section 1681a (f).

2 25. On or about August 8, 2012, Plaintiffs discovered that they would not  
3 qualify for a home loan modification due to WELLS FARGO reporting a  
4 foreclosure date as recent as July 2012, resulting in the false and inaccurate  
5 derogatory marks remaining on their credit report for much longer than would  
6 have been necessary had defendants maintained proper records against which to  
7 check derogatory credit reports.

8 26. On several occasion Plaintiffs requested that the WELLS FARGO  
9 mortgage account be reviewed and investigated to remove the inaccurate  
10 foreclosure proceedings start dates to no avail. As previously alleged, plaintiffs  
11 also disputed with the credit bureaus, which in turn communicated such disputes  
12 to WELLS FARGO, thereby triggering WELLS FARGO'S duties under 15 U.S.C.  
13 Section 1681s-2 (b).

14 27. Plaintiff complied with all requests of each of the Defendants to  
15 provide information in order to have the erroneous marks removed from their  
16 credit reports. Despite the insistence of Plaintiff, the Defendants, and each of  
17 them, failed to correct the errors and failed to undertake sufficient investigations  
18 upon being notified of the errors.

19 28. Within the past year, Defendants, and each of them, willfully violated  
20 the provisions of the Fair Credit Reporting Act in *at least* the following respects:

21 a. By willfully and negligently failing, in the preparation of the consumer  
22 report concerning Plaintiff, to follow reasonable procedures to assure maximum  
23 possible accuracy of the information in the report;

24 b. By willfully and negligently failing to correct, after receiving ample  
25 notice, information about the Plaintiff which defendants knew, or should have  
26 known, was incomplete and/or inaccurate;

27 c. By willfully and negligently failing to correct and/or delete the  
28



1 incomplete and inaccurate information in Plaintiff's file after conducting an  
2 investigation;

3 d. By willfully and negligently failing to conduct an adequate investigation  
4 of Plaintiff's complaints, and by willfully and negligently failing to implement  
5 corrective actions once the outcome of such investigations were known, or should  
6 have been known, to the defendants;

7 e. By willfully and negligently failing to provide subsequent users of the  
8 report with the Plaintiff's statement of dispute or a summary thereof;

9 f. By willfully and negligently failing to provide notice to plaintiff of the  
10 furnishing of negative credit information to credit reporting agencies, and,

11 g. By willfully and negligently failing to provide such information to the  
12 credit bureaus indicating the full nature, reasons and extent of Plaintiff's dispute  
13 with WELLS FARGO, and thus causing the credit report to the credit bureaus to  
14 be inaccurate and incomplete.

15 29. As a proximate result of the actions of the Defendants, and each of  
16 them, Plaintiff has been damaged in an amount which will be proven at time of  
17 trial. As provided under the cited law, Plaintiff are entitled to actual damages, loss  
18 of wages, pain and suffering, punitive damages, penalties, costs and attorney fees.

19 30. Plaintiff alleges that defendants, and each of them, acted with fraud,  
20 oppression and malice towards the Plaintiff and towards others similarly situated.  
21 Specifically, defendants WELLS FARGO, EXPERIAN and DOES 1-10, Inclusive,  
22 deliberately have inefficient procedures for correcting their credit files, because  
23 they know that a certain number of consumers will either be intimidated or too  
24 frustrated to continuously fight back against the constant onslaught of collection  
25 activities for invalid debts. WELLS FARGO, EXPERIAN and DOES 1-10,  
26 Inclusive, know that a certain number of consumers would rather pay than fight,  
27 even if the debt is not actually owed. These defendants know that their systems  
28

1 intimidate consumers and are set up maliciously to cause oppression to consumers,  
2 so they'll pay debts even if not valid or not completely valid. These facts were not  
3 disclosed to the Plaintiff and are not disclosed to the borrowing public at large.  
4

5 WHEREFORE, Plaintiffs prays for judgment as follows:

- 6 1. For general and special damages according to proof at trial;  
7 2. For punitive damages;  
8 3. For statutory penalties where allowed by suit;  
9 4. For attorney's fees;  
10 5. For costs of suit;  
11 6. For such other relief as the court deems just and proper.  
12

13 **PLAINTIFFS DEMAND A JURY TRIAL.**

14 Dated: 27 Nov. 12 LAW OFFICES OF ROBERT F. BRENNAN, A P.C.  
15

16  
17 By: 

18 Robert F. Brennan  
19 Attorney for Plaintiffs  
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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge John Kronstadt and the assigned discovery Magistrate Judge is Andrew J. Wistrich.

The case number on all documents filed with the Court should read as follows:

**CV12- 10192 JAK (AJWx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Robert F. Brennan SBN 132449  
 LAW OFFICES OF ROBERT F. BRENNAN AP.C.  
 3150 Montrose Ave.  
 La Crescenta CA 91214  
 Tel: 818-249-5291  
 Fax: 818-249-4329

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

JOHN and SONJA VALERIE, Individuals;

CASE NUMBER

PLAINTIFF(S)

v.

CV12-10192-JAK (ASTW)

WELLS FARGO HOME MORTGAGE, is a division  
 of WELLS FARGO BANK, N.A.; EXPERIAN  
 INFORMATION SOLUTIONS INC, a business entity;  
 and DOES 1-10, inclusive,  
 DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S):

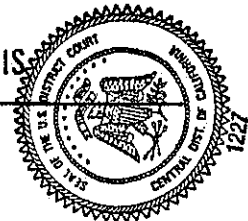
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Robert F. Brennan, whose address is 3150 Montrose Ave. La Crescenta CA 91214. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

NOV 29 2012  
 Dated: \_\_\_\_\_

By: MARILYN DAVIS  
 Deputy Clerk  
 (Seal of the Court)



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> ) JOHN and SONJA VALERIE, Individuals;	<b>DEFENDANTS</b> WELLS FARGO HOME MORTGAGE, is a division of WELLS FARGO BANK, N.A.; EXPERIAN INFORMATION SOLUTIONS INC, a business entity; and DOES 1-10, Inclusive,
<b>(b) County of Residence of First Listed Plaintiff</b> (Except in U.S. Plaintiff Cases): San Luis Obispo	<b>County of Residence of First Listed Defendant</b> (In U.S. Plaintiff Cases Only): Los Angeles, California
<b>(c) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Robert F. Brennan, Esq. SBN 132449 LAW OFFICES OF ROBERT F. BRENNAN AP.C. 3150 Montrose Ave. La Crescenta, CA 91214 Telephone 818-249-5291	<b>Attorneys</b> (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.)  <table style="width:100%;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:33%;">PTF DEF <input type="checkbox"/> 1   <input type="checkbox"/> 1</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:33%;">PTF DEF <input type="checkbox"/> 4   <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2   <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5   <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3   <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6   <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4										
Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5										
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6										

**IV. ORIGIN** (Place an X in one box only.)

☒ 1 Original Proceeding   
 ☐ 2 Removed from State Court   
 ☐ 3 Remanded from Appellate Court   
 ☐ 4 Reinstated or Reopened   
 ☐ 5 Transferred from another district (specify):   
 ☐ 6 Multi-District Litigation   
 ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes   ☐ No (Check "Yes" only if demanded in complaint.)

**CLASS ACTION** under F.R.C.P. 23: ☐ Yes   ☒ No

**MONEY DEMANDED IN COMPLAINT:** \$ 300,000

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Fair Credit Reporting Act 15 U.S.C. Sec. 1681

**VII. NATURE OF SUIT** (Place an X in one box only.)

<b>CONTRACT</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>CRIMINAL</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(e)) <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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**VIII(a). IDENTICAL CASES:** Has this action been previously filed and dismissed, remanded or closed? ☒ No   ☐ Yes

If yes, list case number(s):

**FOR OFFICE USE ONLY:** Case Number: CV12-10192

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**VIII(b). RELATED CASES:** Have any cases been previously filed that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** List the California County, or State if other than California, in which EACH named plaintiff resides (Use an additional sheet if necessary)

- ☐ Check here if the U.S. government, its agencies or employees is a named plaintiff.  
 San Luis Obispo, California

List the California County, or State if other than California, in which EACH named defendant resides. (Use an additional sheet if necessary).

- ☐ Check here if the U.S. government, its agencies or employees is a named defendant.  
 EXPERIAN - Ohio  
 WELLS FARGO - United States

List the California County, or State if other than California, in which EACH claim arose. (Use an additional sheet if necessary)

- Note: In land condemnation cases, use the location of the tract of land involved.  
 Los Angeles County

**X. SIGNATURE OF ATTORNEY (OR PRO PER):** \_\_\_\_\_

Date Nov. 28, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))